

# William Grausso

## ATTORNEY AT LAW

Re: Windward v. David Cohen, Docket 18-cv-5997

Dear Hon. Gary R. Brown:

My apologies for not being available for the Pre-Motion Conference in the above mentioned case and appreciate the courtesy the court my firm for this non-appearance.

From my recollection and my review of the Docket the Motion for Summary Judgment was served and an opposition was prepared and served upon Plaintiff's prior counsel in September of 2019. It was after this exchange that the parties engaged in settlement conferences with the court and to my knowledge Plaintiff's counsel never filed or served a Reply or Further Support to the Motion for Summary Judgment. With the Motion for Summary Judgment not fully briefed the Motion nor my opposition were filed on the ECF Docket due to the court procedures under the prior judge.

I can serve an additional copy of my opposition on incoming counsel if the court wishes and I will be more diligent about tracking the next court conference as is scheduled.

Sincerely,

Dated: September 9, 2020

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